

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RAMGIN, INC.	:	
P.O. Box 607	:	
Glenmoore, PA 19343	:	Civil Action No. 2:18-cv-1337
	:	
Plaintiffs,	:	
v.	:	
ALLIED ENVIRONMENTAL SERVICES, INC.	:	
d/b/a ALLIED WELL DRILLING	:	
8213 Brock Bridge Road	:	
Laurel, MD 20724	:	
Defendants.	:	
	:	
	:	

ANSWER TO COMPLAINT WITH AFFIRMATIVE DEFENSES

Defendant, Allied Environmental Services, Inc. d/b/a Allied Well Drilling (“Allied”) files this answer to the complaint of plaintiff, Ramgin, Inc. (“Plaintiff”) and avers as follows:

1. Denied. Allied is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.
2. Denied. Allied is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.
3. Admitted.
4. Denied. Allied provides labor, material, and services for the installation of geothermal well systems.
5. Denied.
6. Denied.
7. Denied.
8. Denied.

9. Admitted.

10. Denied.

11. Denied. Allied is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.

12. Denied. Allied is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.

13. Denied. Allied is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.

14. Admitted in part, denied in part. It is admitted that Allied operated at the Property during the term of the lease. Allied denies it operated an “environmental remediation” business at the Property.

15. Denied. Allied vacated the Property at the end of the lease term.

16. Denied. Allied is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.

17. Denied. Allied is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.

18. Denied. Allied is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.

19. Denied. Allied is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.

20. Denied. Allied is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.

21. Denied.

22. Denied.

23. Denied.

24. Denied.

25. Denied.

26. Denied.

27. Denied.

28. Denied.

WHEREFORE, Defendant, Allied Environmental Services, Inc. demands judgment in its favor and against Plaintiff, Ramgin, Inc., dismissing its complaint and claims with prejudice and awarding Defendant costs and other appropriate relief.

AFFIRMATIVE DEFENSES

1. Plaintiff has failed to state a claim upon which relief can be granted.
2. Plaintiff's claims are barred by the applicable statute of limitations.
3. Plaintiff's claims are barred because it has failed to satisfy conditions precedent contained in the lease.
4. Plaintiff's claims are barred by its own violation of the lease.
5. Plaintiff's claims are barred by the terms of the lease.
6. Allied has not violated the lease.
7. Plaintiff's claims are barred by the doctrines of waiver and release.
8. Plaintiff's claims are barred by the doctrines of set-off and recoupment.
9. Plaintiff's damages, if any, were caused by its own actions or by the actions of those under its dominion and control.

10. Plaintiff's damages, if any, were caused by the actions of those over which it exercised no dominion or control.

11. Plaintiff has not suffered any damages.

ZIMOLONG, LLC.

Date: April 6, 2018

BY:/s/ Walter S. Zimolong, Esquire

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Attorneys for Defendant

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PROOF OF SERVICE

I certify that on the date indicated below I caused to be served a copy of the foregoing notice of removal on counsel for the plaintiff as follows:

Jamie V. Ottaviano, Esquire
Yergey, Daylor, Allebach, Scheffey, and Picardi
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P.O. Box 776
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ZIMOLONG, LLC.

Date: April 6, 2018

BY:s/ Walter S. Zimolong, Esquire
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